



JUL 24 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
 Washington, D.C. 20231  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,248	Jens Schletter	50125/051001

**RECEIVED**

MAY 28 2002

 21559  
 CLARK & ELBING LLP  
 101 FEDERAL STREET  
 BOSTON, MA 02110
**CLARK & ELBING LLP**

INTERNATIONAL APPLICATION NO.	
PCT/EP00/08996	
I.A. FILING DATE	PRIORITY DATE
09/14/2000	09/15/1999

CONFIRMATION NO. 9271

371 FORMALITIES LETTER



\*OC00000008159509\*

Date Mailed: 05/22/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

Reply to Notice  
 ACTION DUE of Missing Requirements  
 DUE DATE 7/22/02  
 ESP 11/22/02  
 INITIALS dmm

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,248	PCT/EP00/08996	50125/051001

FORM PCT/DO/EO/905 (371 Formalities Notice)



DT17 R000 PCT/PTO 24 JUL 2002

PATENT # 4.

ATTORNEY DOCKET NUMBER: 50125/051001

Certificate of Mailing: Date of Deposit: July 18, 2002

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Colleen Coyne  
Printed name of person mailing correspondence

Colleen Coyne  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jens Schletter

Art Unit:

Serial No.: 10/088,248

Examiner:

Filed: March 15, 2002

Customer No.: 21559

Title: PHARMACEUTICAL COMPOSITION IN THE FORM OF A  
NUCLEIC ACID/LIPID COMPLEX, ITS PRODUCTION AND USE IN  
GENE THERAPY

Assistant Commissioner for Patents  
Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS

In reply to the Notification of Missing Requirements of Application mailed May 22, 2002 (a copy of which is enclosed), Applicant as a large entity submits herewith the following:

■ A Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63.

■ Payment of the surcharge of \$130.00 for late filing of the basic filing fee/declaration.

07/30/2002 MKAYPAGH 00000074 10088248

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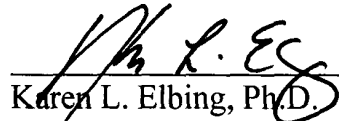
130.00 OP

If there are any charges, or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: 18 July 2002

  
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